

EXHIBIT A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

IN THE MATTER OF: **Trademark Application Serial No. 76/277,029**

DATE OF PUBLICATION: **July 23, 2002**

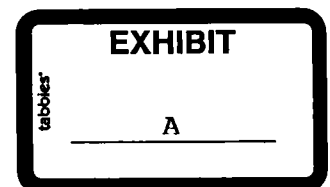
Harry Winston, Inc.
and
Harry Winston S.A.,
Opposers,
v.
Bruce Winston Gem Corp.,
Applicant.

Opposition No.: 91153147

NOTICE OF RELIANCE PURSUANT TO 37 C.F.R. § 2.122(e)

Pursuant to Rule 704.08 of the Trademark Trial and Appeal Board Manual of Procedure and 37 C.F.R. §2.122(e), Opposers Harry Winston, Inc. and Harry Winston S.A. ("Opposers"), give notice of their intention to rely upon the attached articles from the enumerated printed publications, which are of general circulation among members of the public, in support of its case:

1. Butler, Elizabeth. "Winston jewelry rivalry." Crain's New York Business. 15 August 2005.
2. Zunitch, Victoria. "Harry's son buffs up his Winston jewelry shop." New York Post. 15 August 2005.
3. Lambert, Wade. "Gems in the Rough: Sibling Feud Tarnishes The Diamond Empire Built by Harry Winston." The Wall Street Journal. 14 February 1996.

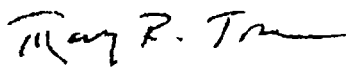


4. Arena, Salvatore. "Gem Heir Cut Out Kin, Judge Sez." New York Daily News. 12 August 1995.
5. Fitzgerald, Jim. "Diamond heirs' fight settled forever." The Star-Ledger. 25 July 2000.
6. "Counter-Attack in Winston War." The New York Post. 1 May 1999.
7. "Diamond heirs end feud with \$54M buyout." The Ottawa Citizen. 26 July 2000.
8. Wadler, Joyce. "Public Lives; Tranquility Elusive for Famed Jeweler's Heir." The New York Times. 17 October 2000.
9. Burleigh, Nina. "The Trouble with Harry Winston." New York Magazine. 15 August 2005.
10. Arena, Salvatore. "Heirs' Gem of A Feud Winston Sons Battle." New York Daily News. 25 February 1996.
11. Steinhauer, Jennifer. "Feud Puts Harry Winston's Glitters Up for Sale." The New York Times. 21 May 1998.

The articles are being submitted and relied upon to show that Bruce Winston is not known as a jeweler in his own right, but solely as the son of Harry Winston, who did not participate in running the Harry Winston, Inc. business. The articles are further being relied upon to show Bruce Winston's reputation in the community.

Dated: August 14, 2009

Respectfully submitted,

By: 

Joseph R. Dreitler
Mary R. True
BRICKER & ECKLER LLP
100 S. Third Street

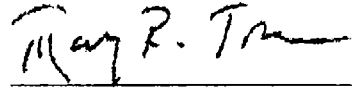
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served upon the following attorney of record for Applicant by First Class Mail, this 14th day of August 2009:

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A handwritten signature in black ink, appearing to read "Mary R. True", written over a horizontal line.

Mary R. True

EXHIBIT 1

Butler, Elizabeth. "Winston jewelry rivalry." Crain's New York Business. 15 August 2005

EXHIBIT
WINSTON 20
2/28/08

Turf battle at JFK

American aiming to create minihub with new terminal; JetBlue building, adding capacity

BY TOMMY FERNANDEZ

AMERICAN AIRLINES knew it had to apply the afterburners on its New York operations, so it sunk \$1.1 billion into building the largest single-airline terminal at John F. Kennedy International Airport. The 1.5 million-plus square feet of space includes 36 gates and a football field-sized check-in area that can handle 1,800 passengers an hour.

The terminal, set to open Aug. 24, represents a significant upgrade of American's operations at JFK. It has nearly twice as much space and 13 more gates than the carrier's old installation. American is betting that the investment will tip the balance of power at JFK, the foundation of its New York business.

"From a competitive standpoint, I think this new terminal is going to be the edge that we've been looking for," says Mark Dupont, managing director of American's operations at JFK.

The opening is American's latest salvo in the battle for JFK, now dominated by the low-cost juggernaut JetBlue Airways. American will use the terminal as a minihub, expanding domestic service to New York to feed its lucrative international flights. It is trying to make up for the revenue lost to low-cost carriers, including No. 1 enemy JetBlue.

"It would be very untruthful to say that we are not focused on JetBlue," says Daniel Garton, executive vice president for marketing at American, the nation's largest airline. "We're very conscious of their growth plans."



JetBlue executives aren't panicking at the sight of the titanic terminal. The Queens-based discount carrier has 113 flights a day out of JFK; American has 103. JetBlue moved more than 9.2 million passengers in and out of the airport in the 12 months through May—1.1 million more than American.

"From a route perspective, we haven't seen anything that indicates American is generating a heightened level of competition for us," says Tim Clayton, JetBlue's senior vice president of sales and marketing.

American, which is headquartered in Dallas, stands to gain by centralizing operations at JFK. It can cut costs and fly more routes via regional subsidiary American Eagle, whose employees are paid less than the mainline parent's. American will also be able to move more domestic fliers to foreign destinations on high-mar-

gin international flights.

Craig Jenks, president of the consulting firm Airline/Aircraft Projects Inc., says American hopes to attract more passengers by offering greater convenience. "If you want to build up your international service, you need more domestic connections leading passengers to these long-haul flights," Mr. Jenks says. "You must have more feed."

Some weak spots

BUT THE PLAN HAS vulnerabilities. Labor contract rules don't allow American to use cheaper American Eagle crews on any aircraft with more than 70 seats. JetBlue—whose workers are not unionized—will soon start taking delivery of a fleet of 100-seat Embraer 190s. The carrier will get seven planes this year, then about 18 annually through 2011, with an option to order 100 more.

JetBlue plans to use the new capacity to curve into many profitable regional routes dominated by American and other legacy carriers. If American chooses to increase capacity to compete, it would have to use mainline personnel—which would complicate its efforts to generate more hub traffic.

JetBlue will also use the new planes to undercut the competition to and from Latin America. And it will soon begin building an \$875 million terminal at JFK, the 640,000 square-foot facility will more than double the carrier's gates, to 26.

American executives remain fully aware that its moves are being watched by those of its rival. "We have to be darn sure we are price-competitive with JetBlue... [and that] our schedules will be competitive," Mr. Garton says. "Changes are being made to ensure that."

Winston jewelry rivalry

Son Bruce plans to sell pricey baubles by appointment

BY ELISABETH BUTLER

Winston's son, Bruce, is planning to open a jewelry store with plans to expand his own business.

After quietly selling high-end jewels to dealers for three years under the name Bruce Winston Gem Corp., Mr. Winston plans to start selling directly to consumers by appointment in a private office on Fifth Avenue at 49th Street, says Michael Cohen, one of Mr. Winston's lawyers.

The company has intentionally "flown under the radar" because of ongoing litigation between Mr. Winston and his brother, Ronald, Mr. Cohen says. Older brother Ronald retained control of Harry Winston Corp. after years of family

He has quietly sold jewels to dealers for three years

feuding, and bought out Bruce's share of the Oscar night bauble factory for a reported \$54 million several years ago. Aber Diamond Corp. has since purchased Harry Winston.

Winston's son, Bruce, is planning to open a jewelry store with plans to expand his own business.

News of Bruce Winston's venture came as a surprise to several New York jewelers. The company registered with the New York Department of State in March of 2001, but it is not listed with the Jewelers Board of Trade, the industry's standard credit bureau.

Although Mr. Cohen initially pitched his client's business prospects with verve, he later declined to provide an interview with company executives for this article, saying that they are not ready to talk about the size or future plans of the business.

Mr. Winston has hired Eli Nhrain, former president of Pan-American Diamond Corp., to help lead the new firm, according to Mr. Cohen. When pushed for more details, the lawyer said his client would not be available for comment until the end of the year.

for a boost

same returns for shareholders. Though revenue has increased steadily for six years, its stock has been volatile, to put it mildly, losing more than 77% of its value over the past 52 weeks.

The decline can be blamed on several factors. Last year, the Google craze had investors buying up Internet stocks, while short-sellers, betting on a dive, drove Travelzoo's price even higher. Meanwhile, the number of shares trading in the market was scarce because of founder Ralph Bartel's 85% stake in the company.

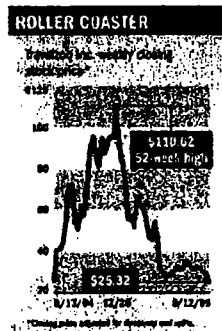
More recently, Travelzoo reported second-quarter earnings of 12 cents a share, which missed analyst estimates by 4 cents. The shortfall was attributed to a \$153,000 charge related to cash

payments to shareholders who received free shares during the company's launch in 1998 and a \$175,000 loss related to its U.K. subsidiary, which launched in May.

The stock continues to be shaky. Shares dropped 11% of their value just last week.

Despite its troubles, Travelzoo's business keeps growing. Second-quarter revenues were up 70% from the year-earlier period, to \$12.3 million. Analysts estimate that 2005 per-share earnings will be about 60 cents, 76% higher than last year, with revenues at \$51.9 million, up 54%.

Analysts also give the company's U.K. Web site a thumbs-up. Travelzoo has already signed on 15 advertisers there. "The U.K. is the strongest market in Europe for on-



line travel," says Henry Harteveldt, a Forrester Research analyst.

Travelzoo still doesn't have an easy road ahead. Internet portal giants Google, Yahoo! and AOL, tra-

ditional newspapers, and established travel search sites like SideStep.com remain rivals. And new sites, including Kayak.com and Farechase.com, are poised to become bothersome opponents.

Even so, Mr. Ford predicts that Travelzoo's audience will stay loyal. The site's year-old SuperSearch is a superior service, he says, because featured deals are based on more than 750,000 consumer ratings. The company also touts its strict editorial process and due diligence on offers that are displayed on the site.

"We turn away a dozen deals that we think won't deliver or are too good to be true," Mr. Ford says. Even the competition says Travelzoo will be hard to beat.

"We respect Travelzoo," says Jim Donnelly, co-founder of Sabre Holdings subsidiary IgoUgo, a Manhattan-based online travel community that could become a formidable rival.

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EXHIBIT 2

Zunitch, Victoria. "Harry's son buffs up his Winston jewelry shop." New York Post. 15 August 2005

EXHIBIT
WINSTON 21
9/28/08
HH

Business

BANCROFT BOOTY

Young Dow Jones heirs press sale on elders

By PAUL THARP

After burning through half the family fortune, built on owning the Wall Street Journal empire, the Bancroft clan is talking again about selling its golden goose to keep future generations flush.

Younger family members are said to be pressing elders anew for a bold long-range plan that would restore the trust-fund and newly born heirs to the Bancrofts' former riches — which stood at \$1.8 billion a decade ago.

Family ownership today of the newspaper and its parent, Dow Jones & Co. — involving about 33 relatives — is valued at \$910.7 million, but the family is quickly whittling down its fortunes by selling Dow Jones shares at a rate of \$1.2 million a week, based on dozens of structured sales over the past four months.

At that rate, the available shares that family members could sell without losing total control of the empire would be depleted in less than five years.

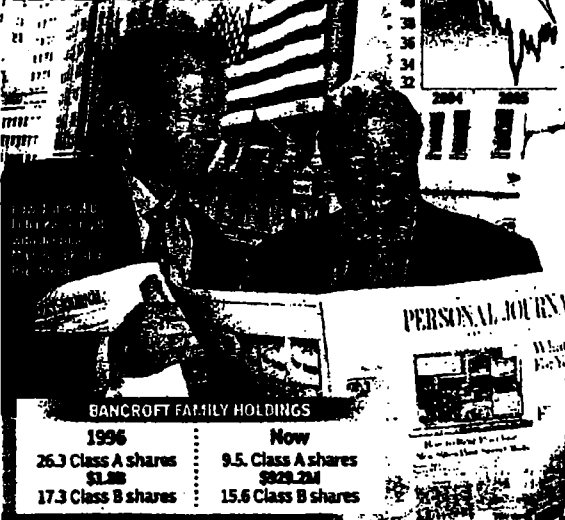
Younger family members are said to want an outright sale of the Dow Jones empire, which analysts believe would more than double the value of the family's shares overnight.

"The line of billionaires who'll do anything to get that trophy goes around the block," said Mark Boyer, of Boyer Asset Management, who has been critical of management and is among shareholders campaigning for a sale.

He's formally urged the Dow Jones board to sell, and said the Washington Post would be an ideal buyer. Such a move would be able to produce huge

Family values

Members of the Bancroft family, who control Dow Jones & Co., publisher of The Wall Street Journal, have been selling off their holdings at a rapid rate.



cost savings, more efficient distribution and stronger ad and marketing muscle.

Other investors think a benevolent billionaire such as Warren Buffett would be the ideal buyer.

One partner at another investment fund with a major Dow Jones stake said the Bancrofts would favor working out a private sale with Buffett — America's second richest man — at a price north of \$6.6 billion.

"He's precisely the kind of owner that could keep the Journal's muckraking image untarnished and let it remain independent," said the partner.

Buffett's involvement with the Bancrofts has been rumored in the past, but his spokesperson said he doesn't discuss his investment plans publicly. The Bancrofts don't speak to the media.

The New York Times

also has offered in the past to merge or buy the group outright, but it was rebuffed by Chairman-Chief Executive Peter Kann both times. Kann didn't tell the Bancrofts about those offers, which upset them, and now they want to hear all offers, sources claim.

Talk of a sale has always been on the lips of relatives in private, but the rapidly shrinking family fortunes and the stagnant Dow Jones

stock has added a public dimension to the family's private quandary. The stock has been stuck in a range of between \$30 and \$40 per share.

Family elders and their advisers, after three years of planning for a temporary fix to the dwindling fortune, made headlines four months ago when they worked out a sweetheart deal with the company's board to let the family sell more than half of its main pot of gold — covered super-voting shares valued at about \$578 million.

The family changed an earlier provision that would punish family members if they started unloading too much of their super-voting stock.

The deal immediately drew criticism from outside shareholders because it let the family reap immediate cash from sales of super-voting shares, yet let them keep 50 percent voting power when combined with their other common shares.

The fix may not be enough in the long run because the family won't have any more stock to tap unless it starts giving up control.

Younger family members are said to be particularly restless, citing the lopsided way the family's \$25 million annual dividend from Dow Jones is distributed — giving older members the biggest shares.

The younger relatives also see large blocks of super-voting stock being sold as a result of the recent fix plan at essentially half-price.

"They see it going out the door at \$37 (a share) and know they could be getting \$75 or \$80," said one source.

Pfizer drug

U.S. drug maker Pfizer, the world's largest, said yesterday it would upgrade its facilities in Germany, plant with a production line for a new osteoporosis drug for the international market. It didn't name the drug. Pfizer has requested U.S. Food and Drug Administration approval of an experimental osteoporosis drug, Oporis, developed with Ligand Pharmaceuticals Inc.

No deal

German stock exchange Deutsche Boerse is not interested in buying British broker Collins Stewart Tullett, a company source said yesterday in response to a Sunday Telegraph newspaper story naming the Boerse as a candidate to buy the firm. Two U.S. private equity firms, Thomas H. Lee Partners and Hellman & Friedman, were also believed to be interested in the broker, the newspaper said.

BA talks

Talks resumed yesterday between British Airways and a catering union after their dispute triggered a 24-hour strike. British Airways said 95 percent of flights, and 100 percent of long-haul flights, were operating out of Heathrow Airport yesterday but that some flights would be delayed before they normalize.

Quest talks

Quest Communications International Inc. and the union representing 25,000 of its workers suspended contract talks yesterday after the former contract expired, but further talks are expected.

China growth

China's economy is expected to grow at between 7 and 9 percent for the full year, the official Xinhua News Agency said, citing Xie Fuzhan, deputy director at the State Council's Development Research Center. Falling industrial profits and low consumer prices will have a negative effect this year, the report said.

By Bloomberg, AP, Reuters, N.Y. Post

Harry's son buffs up his Winston jewelry shop

In the world of high-end jewelry, Harry Winston is a legend. Now his son, Paul, is taking over the reins of the family business.

Bruce is preparing to expand into retailing after selling to the dealer market for the past three years, according to Crain's New York Business, which attributed the news to Michael Cohen, a lawyer for Bruce Winston.

The new business is expected

to operate out of a private office at Fifth Avenue and 49th Street and serve customers by appointment only.

Winston has been running the Bruce Winston Gem Corp. in an intentionally low-key manner because of ongoing litigation between Winston and his older brother, Ronald, Cohen says. Ronald kept control of Harry Winston Corp. after years of family feuding, and bought out Bruce's share of the beanie factory known for its Oscar night loaners for a re-

ported \$54 million several years ago. Aber Diamond Corp. has since purchased Harry Winston's jewelry business.

Word of Bruce Winston's venture came as a surprise to several New York jewelers. Although the company registered with the New York Department of State in March 2001, it isn't listed with the Jewelers Board of Trade, the in-

dustry's standard credit bureau.

And although Cohen enthusiastically pitched his client's business prospects, he didn't produce any company executives willing to talk to Crain's, saying they aren't ready to talk about the size or future plans of the business and that his client would not be available for comment until the end of the year.

Winston has hired Eli Naisi, the former president of Pan-American Diamond Corp., to help lead the new firm, according to Cohen.

Victoria Zisvitch

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EXHIBIT 3

Lambert, Wade. "Gems in the Rough: Sibling Feud Tarnishes The Diamond Empire Built by Harry Winston." The Wall Street Journal. 14 February 1996

1 of 1 DOCUMENT

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THE WALL STREET JOURNAL
The Wall Street Journal

February 14, 1996 Wednesday

SECTION: Pg. A1

LENGTH: 2226 words

HEADLINE: Gems in the Rough: Sibling Feud Tarnishes The Diamond Empire Built by Harry Winston -- His Elder Son Refuses to Sell A Company That Caters To a Glittering Clientele -- 'It Goes Back to Childhood'

BYLINE: By Wade Lambert, Staff Reporter of The Wall Street Journal

BODY:

NEW YORK -- Harry Winston loved his diamonds. He loved them so much, he would refer to them as his children. "No matter how bad they are, if they're yours, you can't help being fond of them," he said.

Mr. Winston -- jeweler to the stars -- knew better than anyone that some diamonds are gems and some are rough cuts. And he would learn with his own two sons that children can turn out the same way.

Ronald, the elder son, was the Harvard graduate groomed as the heir to his father's fabled jewelry business. Bruce, three years younger, was the college dropout who would often spend afternoons at the dog track or weeks skiing in the Alps.

"I have two sons," Harry told a sister-in-law, "one a genius, one a moron."

Now those two sons are engaged in bitter court battles over his fortune, once estimated to be worth about \$150 million. And their father's own will -- which gave Ronald extraordinary control over Bruce's share -- is central to the dispute.

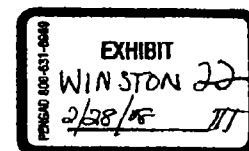
Bruce, 52 years old, wants the family firm sold and the proceeds divided equally between him and his brother. That, he says, is the only way for him to realize any benefits from the half-interest in the family firm that his father left in trust for him. Ronald, he says, "was supposed to take care of me -- not take advantage of me."

But Ronald, 55, president and chief executive officer of Harry Winston Inc., refuses to sell, insisting that their father wanted above all else to keep his legacy alive.

The brothers' legal fees and expenses are approaching \$10 million, and lately the courts have sided with Bruce. Judges in New York and Florida have lambasted Ronald, saying he has deprived his brother of his rights to the family fortune. But Ronald vows to keep appealing, saying Bruce always envied him and is using the lawsuits to get even. "A lot of it goes back to childhood," he says. "Does he want, dare I say, vengeance?"

About the only thing they agree on is that the litigation is tarnishing Harry Winston Inc., which operates jewelry salons in Beverly Hills, Geneva, Paris and Tokyo in addition to New York's Fifth Avenue.

"It's a family tragedy," Ronald says. "To my father, fighting in the family was unthinkable."



Gems in the Rough: Sibling Feud Tarnishes The Diamond Empire Built by Harry Winston --- His Elder Son Refuses to Sell A Company That Caters To a Glittering Clientele --- 'It Goes Back to Childhood'

Yet, for many years, Harry Winston Inc. was a charmed company.

At age 19, Harry Winston left his father's jewelry store and set out on his own. With \$2,000 in savings and an uncanny instinct for precious stones, he began buying and selling diamonds. Before he was 21, he had made his first million, family members say.

Soon he was hobnobbing with the world's wealthiest people, including the Rockefellers, the Duke and Duchess of Windsor and the Chrysler heirs. "Harry was the confidant of maharajahs and queens," says his sister-in-law, Lillian Winston, 72, who often socialized with Harry and his wife, Edna. "When he was in London, the Queen Mother would always invite him to tea."

Harry also became the showman of the diamond world, buying some of the largest rough diamonds ever discovered. He cut them into spectacular smaller stones, which could be sold at a huge premium. There was always a chance that a big stone would shatter, wiping out his investment, but buying large diamonds was a gamble that often paid off big.

In 1935, Harry paid \$800,000 for the 726-carat Jonker, discovered by a South African farmer. The risk was so great that Lloyd's of London wouldn't insure it for damage. But Harry succeeded in cutting the big diamond into 12 smaller stones that sold for a total of \$2 million.

In 1949, Harry attracted world attention with his \$1 million purchase of the Hope diamond, which was thought to be cursed because it had brought bad luck to owners such as Marie Antoinette. (Nine years later, he donated it to the Smithsonian Institution, sending it by registered mail.) By the 1950s, Harry was so well-known that Marilyn Monroe breathlessly sang the line "Talk to me, Harry Winston" in the song "Diamonds Are a Girl's Best Friend."

Ronald took a shine to the business at an early age. "My little fella is only 13," Harry told the New Yorker magazine in 1954, "but I talk everything over with him. Ronnie is like a sponge. He soaks up everything about the business."

While Ronald excelled in academics and athletics, Bruce did poorly in school, preferring camp and his family's vacations in France. To his parents' dismay, he dropped out of the American International College in Springfield, Mass., after a few months and spent six years traveling around Europe. At age 18, he married a dancer from London. Within three years, that marriage was over.

Ronald, meanwhile, graduated from Harvard with majors in chemistry and English. He worked briefly as a chemist at New York University before returning to the family firm as "assistant to the president."

Ronald describes himself as a poet and amateur scientist; he has several patents for such things as an in-home, ultrasonic dental-plaque remover.

But when his father called, Ronald answered. "I don't think Ronnie necessarily wanted to be selling diamonds to rich women, but he did his duty," says Lillian Winston, who is siding with Ronald.

Harry laughed off Bruce's high jinks, relatives say, but later became concerned about whether his younger son would squander his inheritance. In a handwritten letter she sent Ronald last year, Lillian wrote: "Your father was very concerned about Bruce and his wastrel ways. He did not want him to have control of any moneys."

Elinor Wurtzel, at one point Harry's personal assistant, says Bruce would often infuriate Harry by being late for appointments or refusing to dress up.

Still, "Harry was a father first," Ms. Wurtzel says, and he didn't like anyone criticizing his sons. "It was like, 'I can say it, but don't you say it.'"

According to Gerald Schultz, a retired Winston executive and estate trustee, Harry had hoped his sons "would work together to build a bigger company." But in his will, Harry effectively made Ronald his brother's keeper.

According to Harry's original plan, his estate would be divided equally between his sons after the death of his wife. Ronald would receive his stake in the company outright. Bruce's shares would be held in a trust that, every five years, would turn over 20% of his holdings to him. The trust would provide Bruce with an income and would be run by Ronald and two independent trustees.

Harry died in 1978, at the age of 82. But in an addendum to his will three years before his death, Harry gave Ronald the power to override decisions made by Mr. Schultz and a representative of Bankers Trust Co., the other trustees. That meant Ronald would have control over his brother's holdings and the family firm.

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Their mother died in 1986, and Ronald sought to get Bruce more involved in the company. He put his younger brother on the board and asked him to help with expansion plans.

Ronald's openness only went so far, Bruce says. By 1989, according to Bruce's attorney, Edward Wohl, Bruce was concerned that Ronald was managing the company poorly and using it as a personal piggy bank. Court records show that Harry Winston Inc., with estimated annual world-wide revenue of close to \$100 million, posted losses in seven of the years between 1980 and 1990. Bruce began advocating that the family sell the company.

Ronald became convinced that his brother was plotting a coup. Ronald evicted Bruce from the board in 1990. The next year, Ronald whittled back his brother's salary and expenses, which had often exceeded \$350,000 a year. Two years ago, Ronald eliminated the payments altogether.

A judge ruled last August that Bruce was entitled to income -- from either the trust or the company. He also found that Ronald had acted improperly when he barred a sale of the company. He ordered the trustees to consider a sale; now Ronald is appealing the decision.

Bruce still lives quite well. He receives \$348,000 a year in rent from Harry Winston Inc. on the firm's Fifth Avenue headquarters, which he owns jointly with Ronald. Bruce and his second wife, Barbara, have a home in Westchester County, N.Y., and an apartment in Manhattan.

Ronald's income is considerably larger. In addition to his \$348,000 in rent, he receives a salary that in 1990 was as high as \$1.1 million. Although his lawyer says Ronald has since cut his annual pay to no more than \$200,000, the company also picks up as much as \$250,000 a year in his expenses for entertaining clients and for trips to Japan, Africa and the south of France, according to court documents. He and his wife, Heidi, own a four-story townhouse on Manhattan's Upper East Side.

Ronald clearly relishes his business. He personally approves each new jewelry design, initialing the elaborate drawings with a flourish before work begins in the cutting room. In a biography the company published about Harry, Ronald is pictured mimicking his father's profile. Ronald avoids full-face photographs, as Harry did, for insurance reasons.

In a tour of the Winston Building, he gestures grandly at photographs of the "stars of Harry Winston": famous women wearing Winston jewelry, from Marilyn Monroe to Donald Trump's second wife, Marla Maples.

"I'm a friend of Madonna's," he says, pointing to the photos. "We designed the tiara for Marla's wedding. Brooke Shields, she's a friend."

He takes credit for the company's tradition of lending flashy jewelry to actresses attending Academy Award ceremonies. And he just announced plans to create an 18-karat-gold, diamond-studded copy of the Maltese Falcon.

But Ronald says the battle with his brother is casting a shadow on his tenure as chief executive. "I have never really been given a full chance to show my powers," he says. And Ronald's lawyers say the company is doing better, posting annual profits ranging from \$181,000 to \$1.2 million since 1991.

Meanwhile, the charges and counter-charges fly. Take the issue of the disputed television set.

About a decade ago, Winston officials were meeting with the president of the Pacific republic of the Marshall Islands to discuss a pearl fishery. Interrupting the meeting, "Bruce got everyone's attention and said, 'I want to watch television,'" recalls Richard Copaken, an attorney who has worked for the company. "After the meeting, we went out and found a TV and a VCR for Bruce to watch."

One of Bruce's attorneys, Robert Silver, disputes Mr. Copaken's account of the meeting. He says Bruce may have left the meeting out of boredom, or because he disagreed with the project. He denies that Bruce asked that a TV be set up.

Bruce's lawyers say such stories are part of a smear campaign. David Boies, a corporate litigator who recently joined Bruce's legal team, says they "illustrate the level that the other side is willing to sink to."

In court documents, Bruce's lawyers offer a litany of alleged misuses of corporate funds by Ronald, including pouring \$270,000 of company money into the 1985 movie "Key Exchange," a Yuppie love story that flopped.

They say the company had to pick up the tab for Ronald to pursue his Olympic dream. For six months, he lived in Beverly Hills while he trained in hopes of running the 100-meter sprint in the 1988 games -- at the age of 47. Ronald's

Gems in the Rough: Sibling Feud Tarnishes The Diamond Empire Built by Harry Winston -- His Elder Son Refuses to Sell A Company That Caters To a Glittering Clientele -- 'It Goes Back to Childhood'

plan was to qualify for the Marshall Islands team, but the nation wasn't admitted to the games. He defends the expenditure, saying that while he was training, he was overseeing a new Winston salon on Rodeo Drive.

Bruce also accuses his brother of cheating him out of \$3 million that he would have received in 1986 when their mother died. Last summer, a Florida judge agreed, finding that Ronald had duped Bruce before their mother's death into moving \$6 million of her assets into the Winston trust, claiming the arrangement would save the family millions in taxes. The move deprived Bruce of quick access to his share. Like the rest of his inheritance in the trust, it is scheduled to be distributed in installments through 2011.

Ronald denies misusing funds and says that in fact he saved the family business during the diamond-market collapse of the early 1980s. He is appealing the Florida ruling, which would require that the \$6 million be returned to his mother's estate.

Still, his attempts to settle the litigation seem half-hearted to his brother. In 1991, he offered to buy out Bruce's stake in the company for \$4.5 million, an amount Bruce rejected. Though Ronald raised the offer to \$17 million, it was still far below the \$25 million that a court-appointed appraiser estimated each brother's stake could fetch if the entire company were sold.

Lawyers for Mr. Schultz and Bankers Trust, the two independent trustees, say they want to investigate a sale. Mr. Wohl, Bruce's attorney, believes the company could fetch as much as \$100 million.

Ronald's lawyer, Kenneth Stein, says that the only likely buyer is Ronald, who would still consider acquiring Bruce's stake. If the company is put on the block, Mr. Stein says, no suitor will offer anything close to the amount that the court-appointed appraiser suggested -- much less the \$100 million Mr. Wohl believes is reasonable. But no action can be taken while Ronald's appeal is pending.

Meanwhile, Herbert Chaice, an attorney for Mr. Schultz, says that ultimately, the brothers must agree to "sit down and work this out."

"Usually people blame the lawyers for problems like this," Mr. Chaice says. But in the war between the Winstons, "it's not the lawyers -- it is the brothers."

NOTES:

PUBLISHER: Dow Jones & Company

LOAD-DATE: December 5, 2004

EXHIBIT 4

Arena, Salvatore. "Gem Heir Cut Out Kin, Judge Sez." New York Daily News. 12 August 1995

FOCUS - 36 of 42 DOCUMENTS

Copyright 1995 Daily News, L.P.
Daily News (New York)

August 12, 1995, Saturday

SECTION: News; Pg. 5

LENGTH: 369 words

HEADLINE: GEM HEIR CUT OUT KIN, JUDGE SEZ

BYLINE: By SALVATORE ARENA

BODY:

A family feud over the empire of famed Fifth Ave. jeweler Harry Winston is threatening to turn the glittering legacy of the legendary merchant into diamond dust.

A judge has ruled that Winston's eldest son, Ronald, who has run Harry Winston Inc. since his father's death in 1978, enriched himself at the expense of his brother, Bruce.

Ronald Winston, a 54-year-old Harvard-trained businessman, manipulated the company's stock to depress its value while he continued to prosper by raising his salary and increasing his perks as chief executive, according to a ruling by Westchester County Surrogate Albert Emanuelli.

Earlier, a Florida judge ruled that Ronald Winston had illegally transferred \$ 6 million in assets belonging to his mother to a New York account under his control.

Under the terms of their father's will, the brothers each own 25% of the company, with the remainder held by a charitable foundation.

According to a court-appointed appraiser, the company's stock is valued at \$ 60 million, down from \$ 140 million at Harry's death.

Emanuelli ordered the company founded by Harry Winston in 1932 sold if necessary to compensate Bruce Winston, 51, for his losses.

Kenneth Stein, a lawyer for Ronald Winston, said his client has done nothing wrong. He added that an appeal is likely.

Bruce Winston's lawyer, Clifford James, said a sale was the "only way" to preserve his client's inheritance.

Harry Winston groomed Ronald to take over the family business, according to court papers. Bruce Winston's holdings were placed in trust under Ronald's control because their father disapproved of Bruce's lavish lifestyle.

Harry Winston, who owned the Hope diamond before donating it to the Smithsonian Institution, built a single family's jewelry store into the world's largest dealer in diamonds, watches and other precious gems. Known as the "King of Diamonds," he counted among his clients the Duchess of Windsor and Elizabeth Taylor.

From its Fifth Ave. headquarters and salons in major capitals worldwide, Harry Winston Inc. reported sales of \$ 38 million in 1993, but the company has lost money in most years since the diamond market went bust in the early 1980s.

LOAD-DATE: September 22, 1995

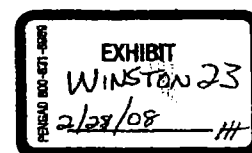


EXHIBIT 5

Fitzgerald, Jim. "Diamond heirs' fight settled forever." The Star-Ledger. 25 July 2000

FOCUS - 25 of 42 DOCUMENTS

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The Star-Ledger (Newark, New Jersey)

July 25, 2000 Tuesday
FINAL EDITION

SECTION: NEWS; Pg. 46

LENGTH: 573 words

HEADLINE: Diamond heirs' fight settled forever

BYLINE: Jim Fitzgerald, ASSOCIATED PRESS

DATELINE: WHITE PLAINS, N.Y.

BODY:

Twenty-two years after the death of diamond king Harry Winston and 12 years after his sons started suing each other, one of them gave up his claim on the family company yesterday - for a \$54 million buyout.

The two skittish brothers - they insisted on being photographed only from behind - sealed the deal in Surrogate's Court in White Plains with a handshake, apparently their closest contact in years.

"For the first time after two decades, Harry Winston can rest in peace," said Kevin Plunkett, attorney for Ronald Winston, Harry's older son.

Ronald Winston, 59, and an investment firm, Fenway Partners, are paying Bruce Winston \$54.1 million for his share of the fabled company, which their father Harry started in the 1920s with \$2,000 and an eye for precious stones.

Harry Winston prospered to the point where he could buy the Hope Diamond for \$1 million, then donate it to the Smithsonian Institution. When Marilyn Monroe sang "Diamonds Are a Girl's Best Friend," it included the line, "Talk to me, Harry Winston." Movie stars still borrow gems from Harry Winston Inc. for Oscar night.

Winston groomed his son Ronald to run the business, while Bruce dropped out of college and spent six years roaming Europe. In his will, Harry gave Ronald his inheritance outright, while Bruce's would be parceled out by a trust. Ronald had control over the company and his brother's holdings.

Unhappy with his income, Bruce Winston went to court, claiming Ronald was mismanaging the estate and demanding the company be sold so he could get his share. Ronald, insisting their father wanted more than anything else to keep the company in the family, offered \$5 million, then \$17 million, for his brother's stake. Bruce refused, forcing Judge Albert Emanuelli to order a sale.

By joining with Fenway, Ronald Winston, of Scarsdale, receives enough cash to buy out his brother while still holding onto the company, which has "salons" on Fifth Avenue and in Beverly Hills, Geneva, Paris and Tokyo. He will be president, chairman and a part owner, Plunkett said, and is delighted to be free of "the stranglehold that litigation had on this company."

As for Bruce Winston, 56, who lives in Katonah, attorney David Boies said, "He and his family are well taken care of. He can do whatever he wants. He has \$54 million and no longer has this litigation to worry about." His local attorney, Guy Parisi, said, "Bruce is very happy to put this behind him. . . . It's more emotional than anything else."

Diamond heirs' fight settled forever The Star-Ledger (Newark, New Jersey) July 25, 2000 Tuesday

Emanuelli, who was thanked by both brothers for pushing the settlement, urged them to shake hands, saying that even if they do not leave as friends, they should think of their children and grandchildren. "One day you may want to call upon each other," he said. "It's what your father would have wanted."

Bruce stood and crossed the courtroom to Ronald, who stood to meet him. They shook hands and smiled briefly. The only jewelry in sight were wristwatches and Bruce's wedding band.

"I'm glad we resolved it," Bruce said outside the courtroom. "It brought us closer together after 12 years of litigation."

Plunkett said earlier attempts at reconciliation - and even handshakes - had failed.

"Fights are always difficult, especially between brothers," said Boies, who led the federal government's antitrust case against Microsoft and is defending Napster Inc. against the recording industry. "This settlement frees both brothers to get on with their lives."

LOAD-DATE: April 16, 2007

EXHIBIT 6

“Counter-Attack in Winston War.” The New York Post. 1 May
1999

FOCUS - 29 of 42 DOCUMENTS

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The New York Post

May 1, 1999, Saturday

SECTION: All Editions; Pg. 008

LENGTH: 217 words

HEADLINE: COUNTER-ATTACK IN WINSTON WAR

BODY:

THE war of the Winston brothers has taken a new turn. Ronald and Bruce Winston, heirs of famed jeweler Harry Winston, have been battling for years over control of the family business. Ronald ran the operation for years while Bruce was off being a playboy, skiing, sailing and living off his inheritance. But when Bruce decided he wanted a bigger slice of the company, he attacked his brother's position and things turned ugly. Now Ronald has filed a \$200 million suit against him charging that in Bruce's campaign to replace him as president, he has "intentionally, falsely, and maliciously" accused Ronald of "stealing jewelry, self-dealing and of not acting in the best interests" of the company and the estate. This marks the first time that Ronald has been the aggressor in the ongoing litigation. Back in January, when New York magazine ran a big story on the feud, Ronald revealed that Bruce once accidentally killed a man in a 1989 driving accident, while Bruce countered that Ronald was almost sent down from Harvard for doing acid with Timothy Leary. "Maybe being on the receiving end Bruce will wake up to the realities of what's been going on for years," says Ronald's lawyer and longtime friend Jay Lewin. Lawyers for Bruce Winston did not return PAGE SIX's calls by press time.

LOAD-DATE: May 1, 1999

EXHIBIT 7

“Diamond heirs end feud with \$54M buyout.” The Ottawa Citizen. 26 July 2000

FOCUS - 21 of 42 DOCUMENTS

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The Ottawa Citizen

July 26, 2000, Wednesday, FINAL

SECTION: News; A15

LENGTH: 290 words

HEADLINE: Diamond heirs end feud with \$54M buyout

DATELINE: WHITE PLAINS, New York

BODY:

WHITE PLAINS, New York -- Twenty-two years after the death of diamond king Harry Winston, and 12 years after his sons started suing each other, one of them gave up his claim on the family company for a \$54 million buyout.

The two skittish brothers, who insisted on being photographed only from behind, sealed the deal this week in Surrogate's Court with a handshake, apparently their closest contact in years.

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Mr. Winston groomed Ronald to run the business, while Bruce dropped out of college and spent six years roaming Europe. In his will, Mr. Winston gave Ronald his inheritance outright, while Bruce's would be parcelled out by a trust. Ronald had control over the firm and his brother's holdings.

Unhappy with his income, Bruce went to court, claiming Ronald was mismanaging things and demanded the firm be sold so he could get his share. Ronald, insisting their father wanted to keep the firm in the family, offered \$5 million, then \$17 million, to his brother. Bruce refused, forcing a judge to order a sale.

By partnering with Fenway, Ronald receives enough cash to buy out his brother while still holding onto the company.

LOAD-DATE: July 26, 2000

EXHIBIT 8

Wadler, Joyce. "Public Lives; Tranquility Elusive for Famed Jeweler's Heir." The New York Times. 17 October 2000

FOCUS - 20 of 42 DOCUMENTS

Copyright 2000 The New York Times Company
The New York Times

October 17, 2000, Tuesday, Late Edition - Final

NAME: Ronald Winston

SECTION: Section B; Page 2; Column 4; Metropolitan Desk

LENGTH: 856 words

HEADLINE: PUBLIC LIVES;
Tranquillity Elusive for Famed Jeweler's Heir

BYLINE: By JOYCE WADLER

BODY:

THE Dresden Green diamond, a 40.70-carat stone never before seen in this country, spent a day in New York en route to the Smithsonian Institution last week, thanks to the efforts of Ronald Winston, who runs what used to be Dad's store, Harry Winston.

Photographers and television crews were invited to shoot the diamond at the Fifth Avenue jewelry store, and to meet the directors of the museum in Dresden, Germany, that has lent the diamond to the Smithsonian for three months.

But getting Mr. Winston's mug was out of the question. So camera-shy was he, he stayed in another room, occasionally poking his head through a curtain. It was the balding head of a conservative businessman of 59; looking at that head, you would never guess this was a man who tried LSD as a chemistry student at Harvard, trained for the Olympic 100-yard dash at age 47, and had a Japanese teahouse in the garden of his Upper East Side brownstone.

What's the deal with the photo ban?

"It's been part of the Lloyd's of London policy ever since two members of the Bulgari family got kidnapped and put in a closet for six weeks," says Mr. Winston a few days later, showing a good memory about a 16-year-old crime. "And that was a less dangerous time."

He is a courteous man with a dry sense of humor who chats armchair to armchair in an office filled with antiques and plays his wealth nonchalantly. "Why don't you put those puppies to bed?" he tells one of his people when it's time to put away a pair of 50-carat, canary-yellow diamond earrings worth \$6 million.

His tranquillity is the sort one finds in a New York guy who has embraced an Eastern culture, in this case, Japanese. A "polite, sensitive culture," Mr. Winston says. That tranquillity is threatened when a photographer arrives. He insists, with some urgency, that one of his people be present.

He is also reluctant to discuss his 12-year legal battle with his younger brother, Bruce Winston, 56, for control of the company. It was a vicious fight, with Ronald, Harry Winston's favored son, sometimes portrayed as ruthless and Bruce, a college dropout, as an unambitious dreamer. "I have two sons," Harry Winston reportedly told his sister-in-law, Lillian Winston, who repeated the comment to The Wall Street Journal. "One is a genius and one is a moron."

This summer, a settlement was reached in Surrogate's Court in White Plains, with Ronald buying out Bruce for \$54.1 million. The brothers shook hands before Judge Albert J. Emanuelli.

WHAT is the relationship between the brothers three months later?

PUBLIC LIVES; Tranquillity Elusive for Famed Jeweler's Heir The New York Times October 17, 2000, Tuesday, Late Edition - Final

"I don't know, I really don't know," Mr. Winston says. "We did shake hands, but we haven't talked since."

There was that remark from the aunt — "Yeah, my Aunt Lillian, a very nice lady," interrupts Mr. Winston with a wry smile, clearly plagued by the comment.

Did the remark accurately reflect their father's feelings?

"I think my father was very frustrated with my brother, who early in life decided he was not going to work, just to enjoy life," he says.

Time for a rebuttal from Edward Wohl, a lawyer for Bruce Winston.

"My understanding is, that's not true," he says. "Bruce was active in the business for some time, certainly in the 60's, even in the early 70's."

The legend of Harry Winston: he made his first million by age 21, acquired the Hope diamond in 1949, and presented it as a gift to the Smithsonian in 1958.

Ronald Winston was brought up in luxury in Westchester and New York. He saw his first diamonds as a boy, when his dad brought them home. The younger Mr. Winston's interests, nonetheless, were in science; after graduating from Harvard, he worked for a few years in rocket research at the Massachusetts Institute of Technology. He went into the diamond business in his late 20's, only because his father asked.

Today, he is married to a film producer and maintains a home in California, a brownstone in New York and another home in Westchester. But his interests, Mr. Winston insists, include quiet pursuits. He works on his poems, he gardens.

A rendezvous is arranged for later in the day at the Japanese teahouse. Mr. Winston unlocks the door of the town house, which has the stale air of a dwelling that is not much inhabited. A living room looks out on a Japanese garden and the teahouse beyond.

It is a lovely teahouse, with the traditional low door. Inside hangs a long scroll, painted to reflect the changing seasons. Only, as Mr. Winston points out, the flower on the scroll is wisteria, a May flower; it's been months since he's been in the teahouse. The tatami mats are scattered with dead moths.

Mr. Winston finds a broom, sweeps out the moths, removes his shoes, and sits down. In his business suit, he gives the impression of being the wrong look, the wrong size, for his teahouse, but no matter. Are there any impressions, after all his press coverage, he might like to correct?

"Well, I think people think of me as this very highfalutin person," Mr. Winston begins. "I run a glamorous business, so people think I'm unapproachable. I'm really a very simple guy. I do a lot of things myself, I swept out the moths."

<http://www.nytimes.com>

GRAPHIC: Photo: A camera-shy Ronald Winston, examining a diamond in his office. (Librado Romero/The New York Times)

LOAD-DATE: October 17, 2000

EXHIBIT 9

Burleigh, Nina. "The Trouble with Harry Winston." New York Magazine. 15 August 2005

table with Harry Winston

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EXHIBIT
WINSTON 24
2/28/08

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Feature

The Trouble with Harry Winston

When he died in 1978, Harry Winston left his two sons the most prestigious diamond emporium in the world. Now their decade-long battle has gotten so nasty that neither one may get the company. Nina Burleigh reports on the fight for the family jewels.

By Nina Burleigh

"I probably should have become a chemist," says Ronald Winston. Deep sigh. It's hard not to feel a little sorry for him, even though he was born a millionaire and still is one. He certainly *invites* pity, sitting forlornly in his office above the famous Harry Winston flagship store on Fifth Avenue pondering his fate. In his late fifties, Winston has thinning gray hair, a perpetually pained expression, and the insistent but subtle charm of a man capable of selling a single piece of jewelry for several million dollars. A pair of gold-rimmed glasses, fortified with a few extra vertical and horizontal wires, are perched like pickup sticks on the bridge of his nose. They seem appropriately precarious for a man trapped between filial piety and sibling envy.

Downstairs, the diamond necklaces float like fish in the vitrines, priced to sell for more than it costs to buy a country estate. In the fifties and sixties, Harry Winston was the preeminent jeweler in the world: the destination of choice for both Hollywood and high society. These days, according to its chief designer, its most loyal clients are Arab oil princes who buy several baubles at a time for their wives to wear underneath their chadors. On the flagship's main floor, the scene is extravagant but strangely sterile; security is tense. During a guided tour, a guard accustomed to seeing women in sleek Chanel suits briskly ran his hand down the sides of my rumpled trench coat.

Ron Winston's private office is much more inviting — a cozy jumble of clocks, paintings, photographs, and deluxe curiosities. Perched on a small pedestal is a lucite block with a current of electricity frozen inside it like a gold feather. A table packed with World War II model airplanes almost obscures a second table crammed with family photographs. Here's Ron Winston standing beside a grinning Nancy Reagan at the White House. There's Ron Winston nuzzling his beautiful young wife. A hipper Ron Winston, circa 1978, his longish hair still brown and still covering the top of his head, is pictured walking in a garden next to his dad. Ron's mother, Edna, a dark-haired woman in a red strapless evening gown and ruby necklace, smiles down from the wall behind Ron's desk. Only one family member is not represented: Ron's brother Bruce.

His absence is not accidental. For the past decade, Ron and Bruce Winston have been locked in an increasingly vituperative feud, one that has sapped

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the resources of the family-owned company and tarnished its image, culminating in its sale to the highest bidder.

Last month, as the brothers were accusing each other of fraud and worse, the last of the sealed bids for the company came trickling in from around the world. Once valued at \$150 million, the company, by some estimates, is now worth a third of that amount. And while both Ron and Bruce have vowed to retain control of the store, many observers have watched in horror as their squabble has diminished a company their father painstakingly built over 40 years. "They are spoiled boys who didn't work hard and who didn't know what to do when they inherited the millions," says jeweler Bernard Hammerman, the president of Hammerman Brothers and a lifelong friend of Harry Winston's. The crack-up of the House of Winston, he says sadly, "is one of the big heartaches of the business."

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Columns

"The Trouble with Harry Winston"

Ron and Bruce Winston grew up rich and secure in Westchester and on Fifth Avenue. Even as children, the boys had markedly different personalities. Ron, the first-born favorite son, was gregarious and ambitious. He showed an early aptitude for business and often accompanied his father to the salon. Bruce was a moody dreamer, less outgoing, less athletic, less motivated, and, many claimed, less bright than his overachieving brother. The boys' aunt Lillian Winston expressed it most tartly when she told the *Wall Street Journal* a few years ago that Harry Winston never had much regard for Bruce's brains. "I have two sons," Harry reportedly complained to her, "one is a genius and one is a moron." One of Bruce's friends says Edna was even more disappointed in her younger son than Harry was. Soon after he dropped out of college in Massachusetts, Bruce disappeared for eight weeks, resurfacing in Florida only after the family called in the FBI.

Growing up, the brothers maintained a fragile peace; as adults they appear to have more in common than many siblings. Both are middle-aged, married, and eccentric. Both inhabit country homes and city apartments. Both love dogs, travel, and diamonds. And each despise the other.

Ron, 58, graduated from Harvard with a chemistry degree in 1963, and after a stint at NYU, where he studied rocket propulsion, he went into the family business. A committed bachelor, he finally settled down ten years ago with a striking blonde named Heidi Jensen, a 34-year-old film student who recently fled the East Coast to pursue a career as a producer. "She lives in L.A. now," Ron says sorrowfully. "She just got tired of all the fighting here." He spends his time shuttling between his Manhattan townhouse and houses in Santa Barbara and Westchester. A self-described workaholic, he is a cultivated businessman who writes poetry and dabbles in the sciences. He fancies himself a Renaissance man. He is also obsessed with Japan: He studied Zen philosophy, speaks Japanese, and devotedly tends to a small Japanese garden at one of his homes. Despite such exotic sidelines, Ron says he believes strongly in "the Protestant work ethic," and charges that his brother behaves like an immature member of the sixteenth-century feudal aristocracy.

Bruce, 54, briefly attended American International College in Springfield, Massachusetts, but dropped out to pursue a life of relative leisure. He was involved for years with est and has undergone intensive psychoanalysis. These days, he divides his time between a Fifth Avenue apartment and a sprawling country house in Katonah that he shares with his second wife, Barbara, a homemaker who keeps a low profile. Barbara has three children from a prior marriage, two of whom Bruce has adopted. Bored with business and notoriously laid-back, Bruce spends his days puttering around Katonah, driving his collection of sports cars, and sailing on the Atlantic.

"Bruce is a very sweet guy, one of those people who may be too trusting."

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says an acquaintance of both brothers who is prominent in the New York jewelry industry. "Ron is the exact opposite, very secretive. You never really know what he is up to. He sets his own objectives very carefully with very long-range thinking. Bruce is a spontaneous guy."

By all accounts, relations between the Winston brothers were sometimes strained but always civil while their father was still alive. After all, Harry Winston was not a man who easily tolerated dissent. Though he never had any formal schooling, he was a shrewd and commanding figure, the child of dirt-poor Ukrainian immigrants. He loved diamonds so much that his own father warned him the jewels might someday take him over. By 1932, he had opened Harry Winston, Inc., and with a blend of moxie and marketing turned it into a resounding success. During the Depression, Harry Winston singlehandedly kept the New York diamond industry afloat. At one point in the fifties, his diamond-buying power rivaled that of diamond behemoth De Beers.

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"The Trouble with Harry Winston"

Harry Winston was a master showman and a fanatical jewelry collector who eventually donated a large chunk of his diamond collection to the Smithsonian. His old-world aura still pervades the Winston salon, where elderly designers painstakingly draw and craft the lavish necklaces and earrings Harry made his trademark. One oft-told tale has Harry mailing the Hope diamond to Washington via registered U.S. mail, saying it was the most secure means of shipping. Others remember Harry and Edna rescuing millions worth of diamonds from the Nazis in the South of France just after the outbreak of World War II. Edna concealed the jewels in her girdle before boarding a ship out of Europe.

The trouble began with the patriarch's death in 1978. Harry recognized that his sons had different temperaments, and his will acknowledged Ron's greater business acumen while ensuring that his bounty would be fairly divided. Though Harry left Ron to run his company with the help of two independent trustees, he decreed that both his sons would receive equal shares of the company's proceeds. The brothers co-existed peacefully under the terms of the will for eleven years, from the time of their father's death until 1989. During that time, Ron ran the company with the two trustees. In the early years, both he and Bruce drew roughly the same amount from the business: Their salaries and perks amounted to around \$350,000 a year. The brothers jointly inherited the Fifth Avenue edifice that houses the store, and they split the additional \$700,000 a year they received for rent.

But while Bruce's salary from the company remained unchanged until Ron cut him off in 1994, between 1980 and 1990 Ron steadily increased his own salary to \$1.13 million, arguing that since he ran the company he was entitled to greater remuneration. (He later lowered his take to \$400,000, after his brother's suit.) During the years he occupied a position on the Winstons' board, Bruce showed almost no interest in the company's day-to-day operations. Whenever a decision required both brothers' approval, Ron sent Bruce the papers and Bruce signed them without even bothering to read them.

But in 1990, Bruce filed suit against Ron at the Surrogate's Court in Westchester, which oversaw Harry Winston's estate. His suit demanded that Ron provide him with a thorough accounting of the company. Two years later, he went to court again, charging that his brother had taken advantage of his financial naiveté, seriously mismanaged the family firm, and used company assets "for his own personal benefit." "I don't know who to trust anymore," he complained during one deposition.

The litigation has been fed by a growing army of high-powered lawyers. The company's independent trustees, fed up with the internecine warfare, have adopted a strictly neutral position. "It's a street fight!" sighs Ron Winston. "I

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can't walk away now."

In 1995, the Westchester surrogate sided with Bruce, ruling that it didn't matter whether Bruce had actively participated in the operations of his company — Ron had a duty to take care of him as set out in their father's will. In a scathing criticism of Ron, the judge noted that the "downward spiral of loss from the operation" since Harry Winston's death was well documented. He wrote that Ron "evinces an abject disregard for his paramount obligations as a fiduciary and paramount concern for his personal welfare. . . ." Conceding that the differences between the two siblings seemed irreconcilable, he suggested that the company be sold and proceeds from the sale be divided between the two brothers.

The legal documents generated by the case now fill seven massive file cabinets in the Westchester court, chronicling the interminable haggling over the value of the company and bitter debate over Ron Winston's management of it. Ron has offered his brother ever-increasing sums to settle the case: first \$4.5 million, then \$17 million and, most recently, \$28 million. Bruce has spurned all the offers, insisting that his brother continues to massively underestimate the company's real worth.

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"The Trouble with Harry Winston"

Last year, the trustees hired Credit Suisse First Boston to oversee the sale of Winston. The bank privately released its independent assessment of Winston's value last fall, making it more likely the company can be sold before the end of 1999. But there is still no end in sight to the litigation.

Bruce Winston steadfastly refuses to speak to reporters, although he has been known to pose silently for photographs to go with articles about his lawsuit. He speaks to the press only through his friend Edward H. Wohl, a white-haired, avuncular attorney whom some paint as a manipulative Svengali who holds Bruce in his thrall.

Wohl was working as a divorce lawyer when he befriended Bruce at a Manhattan party in 1975; two years later, his firm handled Bruce's divorce from his first wife. Since then, he has regularly played squash, dined, and vacationed with his client, nurturing a close friendship. Wohl says Bruce shuns the media because he doesn't want to be quoted saying nasty things about his brother (he is still said to be appalled over his Aunt Lillian's remark). Instead, Bruce supplies Ed Wohl with handwritten notes to read to reporters. In response to some questions I had for Bruce, Wohl read me the following:

"Bruce Winston was married for the first time at the age of 26. His mother and father made the wedding at Claridge's Hotel in London. Many influential people were there: Harry Oppenheimer of De Beers, the Maharani of Jaipur, et cetera. Bruce's intended wife was a professional ballerina and the daughter of a famous general who served under Mountbatten in India. Bruce believes it is necessary to make this statement because his first wife has been described otherwise. Contrary to many stories, Bruce does not gamble and never has. His desire is to bring the Winston companies back to their former famous glory."

Ron and his supporters see Wohl as a shrewd puppet-master who manipulates Bruce for his own benefit. "Bruce doesn't take a piss in the morning without first calling Ed Wohl," says one of Ron's lawyers. "He's Ed Wohl's golden egg." In fact, it was Wohl who first informed Ron Winston in October 1989 that his brother was no longer happy with the status quo. "I remember Ed Wohl called me and said he was coming over," says Ron. "He walked into the room and said to me, 'You are going to sell that company now or we will make you pay.'"

It is still unclear what provoked Bruce to initiate legal proceedings against his brother. Wohl simply says that about a decade ago, Bruce was "tipped off" that Ron was seriously mismanaging the company. "We believe that we can prove that tens of millions of dollars have disappeared from the company since Harry Winston died," he claims. In 1995, a court-appointed appraiser found that the company's value had dipped by about \$100 million since 1978.

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Though Bruce blames Ron's mismanagement for the precipitous decline, Ron insists there is a more innocent explanation. He points out that when his father died, prices for a top-of-the-line diamond were at an all-time high. "They were \$82,500 a carat, compared to \$22,500 now," he says. "Am I to be blamed for that?"

Ron Winston has his own complaints about Ed Wohl. He claims the attorney has tried to bribe his former employees to testify against him. Last February, Ron filed formal charges against Wohl with New York's attorney-disciplinary committee, claiming Wohl lured his former personal executive assistant to Bruce's side with a \$500-an-hour consulting fee and the promise of a million-dollar bonus if Ron loses in court, then listed her as a potential witness, which is an ethical infraction. (Wohl insists Bruce Winston himself cut the deal with the secretary.)

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In September, the two brothers briefly appeared together in a Florida courtroom, where Bruce continued to wage his civil suit against Ron. The trial judge there brought the brothers into his chambers one at a time and quizzed each for an hour. "It was the first time any judge has done that," says a friend of Ron's. "And Bruce cried out for his lawyer! He exhibited an inability to understand or discuss what was going on beyond the psychology. The judge made some progress in his understanding of what is going on. It's not really about stolen jewelry or estate planning; it's a mass feed for lawyers. Bruce is bent on fratricide."

Ron's friend and attorney Jay Lewin may be the last person to have seen Ron and Bruce Winston speak to each other outside a courtroom. Two years ago, Lewin arranged for the brothers to meet at his log cabin near Candlewood Lake, Connecticut. Ron brought in deli food from Manhattan; Bruce arrived promptly at 10:30 in the morning with Barbara at his side. But the summit was a disaster. "We all sat there for two or three hours," Lewin recalls. "All Bruce wanted to do was see his brother be as contrite as possible and admit he was responsible for all of Bruce's angst. Ron wouldn't do it. Bruce finally got bored and left." Lewin says the meeting turned truly acrimonious when Ron asked Bruce what he wanted from him. "Bruce got furious and said, 'Never ask me that!' And Barbara started yelling at Ron, too, saying, 'You know you're not supposed to ask him that!'"

More recently, an ex-girlfriend of Bruce's also tried to negotiate a rapprochement. But a week after agreeing to a meeting, Bruce backed out. According to Ron, his brother felt that because his ex-girlfriend was of Chinese extraction and because Ron Winston often traveled to China, she couldn't be impartial.

"That is the level of paranoia we're dealing with here," Ron snorts. "She's not Chinese. She's *Brazilian-Chinese!*"

But paranoia seems to run in the family. Ron Winston, camera-shy to the point of absurdity, has appeared at videotaped depositions wearing plastic pig masks and a Lone Ranger costume. He is mortally afraid of being kidnapped. "Look what happened to Gucci," he says. "And Versace."

Ed Wohl says that Ron's polished if eccentric veneer belies a dangerous malevolence. "Ron Winston is intelligent, well-spoken, and seductive, and it's important to . . . know this other side of him," says Wohl. In depositions, Bruce's legal team has alleged a long list of abuses, charging Ron with borrowing \$845,000, interest-free, to purchase his Manhattan townhouse, and with using company funds to underwrite his ill-fated bid for the Olympics. (Then 47, he was training for the 100-meter sprint.) Ron denies both charges. "We are not talking about mismanagement," Wohl says ominously. "We are

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looking for wrongdoing."

Ron Winston retaliates in kind. During the three months I spent reporting this story, I became an emissary between the feuding brothers, a vessel through which they passed charges and countercharges to each other. As the exchanges grew increasingly heated, Ron Winston brought out the heavy artillery. Calling from Japan, he decided it was time to let me in on an ugly family secret. "You know," he said casually. "My brother killed a man."

Three months before he filed his first suit against Ron, Bruce Winston was driving down the Taconic Parkway near Peekskill. It was two days after Christmas 1989, and a man named Seaton Fisher was outside his disabled vehicle, which had its hazard lights flashing. Bruce's Mitsubishi struck Fisher, sending him 150 feet over an embankment. Fisher's 10-year-old son witnessed the accident from inside the car. There were no skid marks on the road prior to the point of impact, and Winston was estimated by witnesses to have been traveling at 75 miles per hour.

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are fascinated with crystals. They carry them up from deep in the earth and collect them in their nests. No one really knows why."

Last week, Credit Suisse notified potential buyers about their viability. Ron Winston made the cut. There are also rumored to be a half-dozen other bidders left in the mix, Bruce and his backers among them. An Arab jeweler, an Asian firm, and a Minnesota-based outfit called TomKat, Inc., have also expressed interest in buying the company, although the Asian firm has since gone bankrupt. Other, more confidential investors are lurking as well. Because Ron controls the flow of information and doesn't want to sell the company, interested buyers face a hostile-takeover situation. But the company's actual value remains unclear. In 1978, at the time of Harry Winston's death, court documents said the company was worth \$150 million. In 1995, court appraisers valued it at \$50 million. But the numbers may be meaningless. Because the company's value is constructed around both inventory and common and preferred stock, and because Ron Winston has been intensely protective of his books, Winston could be worth far more — or far less — than estimated.

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In any case, Ron Winston insists *he* will be the eventual buyer. He is growing increasingly furious at the course of events, which he equates to the courts' "confiscating my property." "I'm so mad I'm ready to burn my passport and renounce my citizenship and leave," he says. But for now he stays. He previously sought backing from Cartier (which dropped out) and now claims he has fresh financing in place. At one time Bruce had approached Prince Rainier's chief investment counselor, a man he befriended during a brief stint in Monte Carlo, but now he, too, has new partners, whose identity Wohl declines to divulge. Even if Ron does gain full control of the company, Bruce can continue to torment him. Since the brothers co-own the Fifth Avenue building that houses the flagship salon, Ed Wohl suggests that if Ron does win control of the business, Bruce may simply evict the company from its digs in revenge.

Jeweler Bernard Hammerman says the downsizing of Harry Winston is already under way. "I have a letter on my desk with a résumé from a twenty-year Winston employee looking for work," he says. But Ron still acts like a man with big plans. In addition to opening a new store in Osaka, their sixth, he just hired a new marketing director.

New York jewelry-industry experts say Harry Winston's company will survive with or without the heirs in charge. Despite the long family feud and legal liabilities, it remains a valuable gem, the last of the luxury-jewelry companies - Van Cleef & Arpels, Bulgari, and Cartier among them - that has not gone mass-market, peddling perfume, scarves, and cheap engagement rings.

Unlike Fifth Avenue peers such as Tiffany and Bulgari, Winston will not advertise itself by throwing parties for New York hipsters. Candace Bushnell does not write its ad copy, and Puffy Combs hasn't, at press time, appeared at Life in the wee hours decorated in Winston diamonds. While he personally shuns the social circuit, Ron Winston has carried on his father's glittery legacy by outfitting celebrities at events such as the Oscar- and Tony-award ceremonies. But the company selects its mascots carefully, favoring people who radiate not just money but social cachet. Its main target market continues to be the very, very rich: foreign millionaires, domestic dowagers, and homegrown grandees. In a bid to avoid less exalted customers, the company recently slashed its media budget by 20 percent and restricted its marketing efforts to select high-income subscribers to upscale magazines like *Town and Country*.

Winston also remains a ubiquitous presence on the philanthropy circuit. Last fall, its baubles decorated the necks, wrists, and fingers of the ladies on the board of directors of the tony International Fine Arts and Antique Dealers' Show. Dripping in donated Winston gems, socialites like Karen LeFrak and Mai Hallingby worked the receiving line at the Seventh Regiment Armory. Nan Kempner was so enchanted by one sparkly necklace that she removed it from

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the neck of a Winston employee and wore it for the evening.

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Industry observers praise Winston for maintaining its first-class reputation. Russell Shor, who covers the diamond industry for a trade publication, says, "Harry Winston associated himself with people of a certain class. He wasn't into pop culture. The intrinsic value at Winston is still from the gems, not the design or hipness. With Winston, you got rocks. And it's still that way. Winston and Tiffany were the real anchors of the high-market trade. Today, you could spend a hundred dollars at Tiffany. You can't spend a hundred dollars at Winston. Whether or not you approve of the way Ron Winston has done things, that part of it has been a wise move."

In the meantime, the battle between the brothers continues, less wisely. To protest what he sees as unfair court rulings against him, Ron has resorted to theatrical protest. He attended one deposition in New York wearing handcuffs. He and his brother do not communicate privately and have not done so for four years.

"I was really hoping maybe you could talk to him," Ron says to me one evening after we've been sitting in his office for two hours. "He really needs to talk to someone other than his lawyers."

I tell Ron I'll keep trying to get his brother to talk to me. Later that night, Ron calls again. He just wants to see whether he can be of further assistance, he says. His friend Jay Lewin gets on the line and asks if I want to join them for dinner. Unfortunately, I have other plans. A week later, Ron is on the phone one more time, calling from L.A. "Something told me you needed to talk to me," he says.

I tell him I still haven't talked to his brother.

"I've got to ask you," he says. "What do you think is going on here?"

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EXHIBIT 10

Arena, Salvatore. "Heirs' Gem of A Feud Winston Sons Battle."
New York Daily News. 25 February 1996

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February 25, 1996, Sunday

SECTION: News; Pg. 8

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HEADLINE: HEIRS' GEM OF A FEUD WINSTON SONS BATTLE

BYLINE: By SALVATORE ARENA

BODY:

Their father, Harry Winston, was Fifth Ave.'s legendary "King of Diamonds," the jeweler to the rich, the famous and the titled who built a vast fortune by adding dazzle to his clientele's passion for excess.

Elizabeth Taylor and Richard Burton, the Duke and Duchess of Windsor, the Shah of Iran and the Sultan of Brunei were his customers. And the famed Hope diamond was among the extraordinary stones he acquired.

But nearly two decades after the famed gem merchant's death, a bitter and costly feud between his sons threatens the worldwide jewelry empire he left behind.

Harry Winston's boys, Ronald and Bruce, are dueling in courts in New York and Florida over explosive allegations of betrayal and fraud.

For Ronald Winston, 55, the Harvard-educated son Harry groomed to run the family business, and Bruce, the father's problem child, diamonds are forever and lawsuits must seem that way too.

Over the last five years, they've spent nearly \$ 10 million on legal fees.

"It goes to show that having a lot of money is not a cure for the kind of tension that sometimes exists in families," said one attorney on the case.

Bruce, 52, is trying to force the sale of the company, Harry Winston Inc., to free his inheritance from Ronald's control.

Ronald, the company's chief executive, has offered to buy him out, but at a fraction of what Bruce thinks his stock is worth. Bruce would prefer an open market sale.

A 1991 appraisal put the value of Harry Winston Inc. at \$ 60 million. No one knows its worth today, though it is undoubtedly less because of the infighting.

"I'm the logical buyer," Ronald told the Daily News. "He's entitled to his share. Nobody's denying him that. He should get a chunk of money and go his way and live his life. I bear him no malice."

The seeds of the dispute were sowed by Harry himself in a will that saved his heirs millions in estate taxes but may yet cost them the family jewels.

Harry's will provided that after his wife died, the shares in the family business would be placed in trust and divided evenly between the two sons.

Ronald would run the company and get his shares outright. But the stock set aside for Bruce a college dropout whose schooling was hampered by a reading disability was placed in a trust controlled by his brother to be released to him gradually over 25 years.

HEIRS' GEM OF A FEUD WINSTON SONS BATTLE Daily News (New York) February 25, 1996, Sunday

"It was dictated by my father. That's what he wanted," said Ronald. "Why? I guess his insights were that I had whatever it took. Bruce never evinced an interest to work in the business."

Bruce, whom Ronald sees as a ne'er-do-well, didn't raise a stink. Though he declined to be interviewed for this story, his court testimony confirms that he was content to leave the business dealings to "Ronnie," while he drew a generous income from the company.

"We don't agree that Bruce wasn't capable," said his lawyer, Edward Wohl. "We do agree that he wasn't trained."

In 1990, four years after their mother, Edna, died, a company insider suggested Bruce hire a lawyer to take a closer look at the way his brother was running the business and handling his trust.

That inquiry led to a flurry of lawsuits by Bruce challenging Ronald's one-man show. Ronald promptly fired his brother "for cause," cutting off his salary and other compensation worth several hundred thousand dollars a year.

Last June, a Florida court concluded that Ronald Winston in 1983 cheated his brother out of a future inheritance from their mother by illegally moving \$ 6 million of her assets to a New York account under his control. He was ordered to return the money to her estate with interest.

That setback for Ronald was followed by a stunning rebuke in August from a Westchester judge who found that Ronald used his position at Harry Winston Inc. to enrich himself at his brother's expense.

Surrogate Albert Emanuelli said Ronald's actions had devalued the company stock, reduced Bruce's inheritance and cut off his income at the same time that he was rewarding himself with a million-dollar salary and generous perks.

All agree that the company suffered financial losses during Ronald's reign. Bruce's lawyers accuse him of incompetence. But Ronald cites the vagaries of the diamond market and tax bills that left the company strapped for cash.

"It's a miracle the business is still there," he said, suggesting he had just about saved it single-handedly.

He insists the reputation of Harry Winston Inc. is untarnished among the monied classes he serves at his Fifth Ave. headquarters and salons in Beverly Hills, Calif., Geneva, Paris and Tokyo.

"Our customers are the wealthy and the famous and the titled all over the world," he said. "If you put a crown on their head or they have a seven-figure bank account, they're our clients."

Next up, Ronald faces a trial in Florida of a suit brought by Bruce to remove him as executor of their mother's estate. Meanwhile, he is appealing the earlier court rulings.

He bristles at the suggestion that his motives toward Bruce are anything but pure.

"I have never tried to cheat him," said Ronald.

He described the transfer of their mother's assets as a tax strategy. And he criticized the Westchester judge for "re-writing" his father's will.

"He says somehow I devalued the stock," Ronald said. "I can't depress the price of a stock that doesn't have a publicly quoted value. And why would I do that? I own 50%."

GRAPHIC: GARY BERNSTEIN SUSAN STAVA STAR ACT: Harry Winston's (top) lent Marla Maples Trump (above) her wedding tiara. Sharon Stone (below) has also been the recipient of Winston's largesse.

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HEADLINE: Feud Puts Harry Winston's Glitters Up for Sale

BYLINE: By JENNIFER STEINHAUER

BODY:

From his opulent, vaultlike store on Fifth Avenue, Harry Winston once bathed movie stars and princesses in diamonds, rubies and emeralds. His personal assistant remembers him staring at his favorite diamonds "the way parents look at their newborn child." And two decades after Mr. Winston's death, few actresses would ever think of going to the Academy Awards ceremony without first arranging for a loan of a costly Harry Winston necklace or tiara.

Now Harry Winston Inc., the legendary luxury business that Mr. Winston created, is on the selling block.

The sale is the culmination of a nearly decadelong fight between Mr. Winston's two sons. It pits Ronald, the older brother who learned the business at his father's side and currently runs it, against Bruce, his jet-set sibling whom Ronald dismissed from his marketing job at the jewelry store in 1994.

After years of litigation, a judge in Westchester County -- where the cases have been heard -- ruled that Ronald could no longer block the sale that the two other trustees had long been seeking. Several weeks ago, Credit Suisse First Boston was retained to dangle the jewelry retailer to potential buyers.

Ronald Winston, interviewed by telephone from Tokyo, said he still expected to end up in control. "I am the logical buyer, and I intend to own it," he said. "I will give my brother fair value and let him go his way, and I'll go mine."

But it may be too late for that. Even though Ronald remains bitterly opposed to selling to an outsider, he may be powerless to stop it. Herbert Chaice, the lawyer for Gerald Schultz, who is a trustee of the business, said, "My own personal view is that Ronald will resist the process as long as he has breath."

Ronald, 57, has offered to buy his brother's half of the business on multiple occasions, court papers show. But Bruce, 54, repeatedly refused to sell his share.

Harry Winston is one of the few great luxury names in American retailing. The least expensive item in its Fifth Avenue salon is an \$800 writing pen; it is best known for its ornate multimillion-dollar necklaces and rings. Marilyn Monroe, in the song "Diamonds Are a Girl's Best Friend" from the 1953 movie "Gentlemen Prefer Blondes," sang seductively: "Talk to me, Harry Winston." Woody Allen used the store recently in a dance scene of "Everyone Says I Love You."

Besides New York, the company owns jewelry stores in Geneva, Tokyo, Paris and Beverly Hills, and it privately sees hundreds of wealthy clients around the world.

Ronald, a trustee of the business as well as the chief executive, carefully guards the company's financial numbers. The two independent trustees -- an official from Bankers Trust and Mr. Schultz, who is also a former chief financial officer of the business -- have complained that Ronald has blocked their repeated requests for detailed information. But experts involved in the legal case estimate that Harry Winston has sales of \$150 million to \$200 million a year. By

Feud Puts Harry Winston's Glitters Up for Sale The New York Times May 21, 1998, Thursday, Late Edition - Final

comparison, Tiffany & Company, which has expanded as a public company far beyond its Fifth Avenue roots, had sales last year of about \$1 billion, and its stock is now worth about \$1.6 billion on the New York Stock Exchange.

Harry, the patriarch, would have hated to see his beloved diamond empire turned over to outsiders, everyone involved agrees. "If he knew the company was sold because of this, it would break his heart," said Elinor Wurtzel, who was Mr. Winston's longtime personal assistant.

Unlike the typical family business feud -- which usually begins at the founder's funeral -- the fight over Harry Winston got off to a slow start.

But that seems to have added to the bitterness. "I think that Bruce is very misguided in this thing," Ronald Winston said. "He is a mini-Howard Hughes locked in the back room."

Bruce Winston, through his lawyer, Edward Wohl, declined to comment. But Mr. Wohl complained that Ronald had constantly kept Bruce in the dark about the business. "Ronald terminated him," he said, "as a strategy to make him get out of the way."

When Mr. Winston died in 1978 at 82, his will stated that shares in the family business would be divided evenly between his sons. But Ronald, who was named chief executive, received his shares immediately; Bruce's were to be parceled out over 25 years.

For many years, Bruce worked for the company, but he was much more active on the party circuit. "He was not involved in the business day to day," Mr. Wohl said. Mrs. Wurtzel said: "Bruce was off doing whatever he wanted to do. He came in for his check."

But in 1990, according to court documents, Bruce began to take an active interest in how the business was managed. Mr. Wohl said Bruce Winston was worried that he was not getting his fair share of the profits and complained that his brother was not properly running the business. "Bruce had totally relied on his brother," Mr. Wohl said.

When Ronald resisted his overtures, Bruce petitioned the trustees requesting an account of the business. After they provided an accounting, he contested it. In 1994, after having already reduced his salary from \$150,000 a year to \$75,000, Ronald dismissed his brother from his marketing position.

Over the years, a number of claims and counterclaims have been made, costing millions of dollars in legal fees. None has ever been fully resolved.

"Ronald has done some foolish things, and Bruce has done some foolish things," said Mr. Chaice, the lawyer for Mr. Schultz, the trustee. "But it is stupid and destructive and the most ridiculous thing I have ever seen. I say a plague on both their houses."

While the acrimony between the brothers culminated in lawsuits long after their father's death, people who know the family say that the seeds for their rivalry were sown in childhood. And both made errors, they say, that caused the company to end up for sale.

"It goes back to the cradle," said Mrs. Wurtzel, who continued to work for Ronald Winston until 1987. "There was a lot of jealousy."

"Bruce more or less embarrassed Harry," she added. "When they went to the St. Regis for dinner, Bruce would show up with his shirt untucked and everything. Harry didn't have much faith in him, but he loved him. He just wanted him to get dressed for dinner."

It is anyone's guess where the Winston company will be in, say, two years.

"Whoever buys it will buy it," Mr. Chaice said. "Harry Winston is dead. The living have to take care of themselves."

GRAPHIC: Photos: Harry Winston, above (UPI); was known as Mr. Diamonds for his jewelry emporium at 718 Fifth Avenue, left. Because of a fight between his sons, it is for sale. (Ozier Muhammad/The New York Times)

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